



**CLEARING PERMIT**  
**Granted under section 51E of the Environmental Protection Act 1986**

<b>Purpose permit number:</b>	CPS 1688/2
<b>Permit holder:</b>	Inpex Browse Limited
<b>Purpose of clearing:</b>	Geotechnical investigations
<b>Shire:</b>	Wyndham East Kimberley
<b>Duration of permit:</b>	30 April 2007 – 30 April 2009

**TABLE OF CONTENTS**

<b>1</b>	<b>LAND ON WHICH CLEARING IS TO BE DONE.....</b>	<b>2</b>
<b>2</b>	<b>AREA OF CLEARING .....</b>	<b>2</b>
<b>3</b>	<b>APPLICATION .....</b>	<b>2</b>
<b>4</b>	<b>COMPLIANCE WITH ASSESSMENT SEQUENCE AND MANAGEMENT PROCEDURES .....</b>	<b>2</b>
<b>5</b>	<b>AVOID, MINIMISE ETC CLEARING.....</b>	<b>2</b>
<b>6</b>	<b>NON-INDIGENOUS PLANTS AND DISEASES .....</b>	<b>3</b>
<b>7</b>	<b>FLORA MANAGEMENT .....</b>	<b>3</b>
<b>9</b>	<b>RECORDS MUST BE KEPT .....</b>	<b>4</b>
<b>10</b>	<b>REPORTING .....</b>	<b>4</b>
<b>11</b>	<b>DEFINITIONS.....</b>	<b>4</b>

<b>Purpose permit number:</b>	CPS 1688/2
<b>Permit holder:</b>	Inpex Browse Limited
<b>Purpose of clearing:</b>	Geotechnical investigations
<b>Shire:</b>	Wyndham East Kimberley
<b>Duration of permit:</b>	30 April 2007 – 30 April 2009

The permit holder is authorised to clear native vegetation for the above stated purposes, subject to the conditions of this Permit.

**PART I – CLEARING AUTHORISED**

**1 Land on which clearing is to be done**

All land above the high water mark on North and South Maret Islands, excluding areas identified in Maret Islands native vegetation units as PT or Mf/T (Source: INPEX Browse Ltd) on Figure 2 of the Appeals Convenor’s Report dated July 2007.

**2 Area of clearing**

Clearing of up to 0.7 hectares of native vegetation.

**3 Application**

This Permit allows the permit holder to authorise persons, including employees, contractors and agents of the permit holder, to clear *native vegetation* for the purposes of this Permit subject to compliance with the conditions of this Permit and approval from the Permit Holder.

**4 Compliance with Assessment Sequence and Management Procedures**

Prior to clearing any native vegetation under conditions 1 and 2 of this Permit, the permit holder must comply with the Assessment Sequence and the Management Procedures set out in Part II of this Permit.

**PART II – ASSESSMENT SEQUENCE AND MANAGEMENT PROCEDURES**

**5 Avoid, minimise etc clearing**

- a) In determining the amount of native vegetation to be cleared for the purposes of geotechnical investigations the Permit Holder must have regard to the following principles, set out in order of preference:
  - i) avoid the clearing of native vegetation;
  - ii) minimise the amount of native vegetation to be cleared; and
  - iii) reduce the impact of clearing on any environmental value.

## 6 Non-indigenous plants and diseases

- (a) When undertaking any *clearing, revegetation* or any other activity pursuant to this Permit the Permit Holder must take the following steps to prevent the introduction and spread of *non-indigenous plants and diseases* as a result of the *clearing*:
- (i) ensure all machinery, tools, vehicles, project staff and other *materials* entering and leaving the area are free of soil, seeds, plant material or other organic material that may contain *non-indigenous plants and diseases*; and
  - (ii) restrict the movement of machinery and tools associated with the *clearing* to the limits of the areas to be cleared.
- (b) The Permit Holder shall prepare and implement a quarantine plan in respect to *clearing, revegetation* and any other activity undertaken pursuant to this Permit for the *term* of the Permit with the objectives of:
- (i) preventing introduction of *non-indigenous plants and diseases*;
  - (ii) identifying introductions of *non-indigenous plants* through monitoring and inspections;
  - (iii) identifying potential introductions of *diseases* through visual monitoring of plant health;
  - (iv) identifying suspected *diseases* and investigating methods of control;
  - (v) eradicating or otherwise controlling introductions of *non-indigenous plants*; and
  - (vi) reporting of introductions of *non-indigenous plants and diseases* to the *CEO*
- (c) The Permit Holder shall provide a final copy of the quarantine plan referred to in subparagraph (b) to the *CEO* prior to the commencement of *clearing*.

Note: for the purpose of clarifying the operation of section 74A(b)(ii) of the EP Act, nothing in this condition is intended to authorise the introduction of any *non-indigenous plant or disease* to the Permit area as a result of *clearing, revegetation* or any other activity undertaken pursuant to this Permit.

## 7 Flora Management

- a) Prior to clearing, the site shall be inspected by a *flora specialist* to identify the presence of *Phyllanthus aridus* and *Pittosporum moluccanum*.
- b) Where *Phyllanthus aridus* and *Pittosporum moluccanum* are identified in relation to condition 7(a) the Permit Holder shall ensure that no clearing occurs with 10m of identified *Phyllanthus aridus* and *Pittosporum moluccanum*, unless approved by the *CEO*.

## 8 Revegetation

- a) The Permit Holder shall stockpile the vegetative material and topsoil cleared under this Permit.
- b) Within one month of the area no longer being required for the purpose of geotechnical investigations the permit holder must revegetate the area by laying vegetative material and topsoil retained in accordance with condition 8(a) on the area.
- c) Within one year of undertaking revegetation in accordance with condition 8(b), the Permit Holder must:
- (i) Determine the species composition, structure and density of the area revegetated;

- (ii) Where, in the opinion of an *flora specialist*, the composition structure and density determined under condition 8(c)(i) will not result in a similar species composition, structure and density to pre-clearing vegetation types in that area the Permit Holder must undertake planting or seeding of *native vegetation*.
- (iii) Propagative material used for *revegetation* in accordance with condition 8(c)(ii) must be sourced from the island on which the site to be revegetated occurs.

### **Part III – Record Keeping And Reporting**

#### **9 Records must be kept**

The Permit Holder must maintain the following records for activities done pursuant to this Permit, as relevant:

- (a) In relation to the *clearing of native vegetation* undertaken pursuant to the purpose of clearing:
  - (i) The species composition, structure and density of the cleared area;
  - (ii) The location where the clearing occurred, recorded using Geocentric Datum Australia 1994;
  - (iii) The date that the area was cleared; and
  - (iv) The size of the area cleared (in hectares).
- (b) In relation to *non-indigenous plants and diseases*:
  - (i) details of any introduction of *non-indigenous plants and diseases* to the area the subject of the Permit; and
  - (ii) details of the steps taken, or proposed to be taken, to address any such introduction, and the success of those steps.
- (c) In relation to *flora management* pursuant to condition 7, the location of each *Phyllanthus aridus* or *Pittosporum moluccanum* recorded using Geocentric Datum Australia 1994:
- (d) In relation to the *revegetation* of areas pursuant to condition 8:
  - (i) The commencement date of *revegetation*;
  - (ii) The location of any area *revegetated* recorded using Geocentric Datum Australia 1994;
  - (iii) A description of the revegetation activities undertaken;
  - (iv) The size of the area revegetated (in hectares);and
  - (v) The species, structure and composition of revegetation measured.

#### **10 Reporting**

- (a) Subject to condition 10(b), the Permit Holder must provide the *CEO* on or before 30 June of each year for the *term* of this Permit, a written report of records required by condition 9 and activities undertaken by the Permit Holder under this Permit between 1 January and 31 December of the preceding year;
- (b) Notwithstanding condition 10(a), the Permit Holder must provide to the *CEO* a written report on the matters referred to condition 9(b) within 14 days of the date the introduction is identified.

## 11 Definitions

The following meanings are given to terms used in this Permit:

**CEO** means the Chief Executive Officer of the Department of Environment;

**clearing** has the meaning given to it in section 51A of the *Environmental Protection Act 1986*;

**disease** has the same meaning as in section 4 of the *Plant Diseases Act 1914*;

**EP Act** means the *Environmental Protection Act 1986*;

**flora specialist** means a person with specific training and/or experience in the ecology and taxonomy of Western Australian flora.

**materials** means rock, gravel, soil, stone, timber, boulders and water;

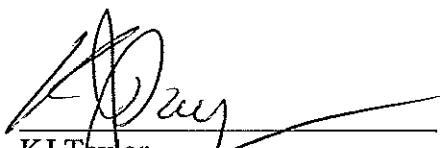
**mulch** means the use of organic matter, wood chips or rocks to slow the movement of water across the soil surface and to reduce evaporation;

**native vegetation** has the meaning given to it in sections 3 and 51A of the *Environmental Protection Act 1986*;

**non-indigenous plants** means any plant that is not endemic to the area the subject of this Permit;

**revegetation** means the re-establishment of a cover of *native vegetation* in an area such that the species composition, structure and density is similar to *pre-clearing* vegetation types in that area, and can involve regeneration, direct seeding and/or planting; and

**term** means the duration of this Permit, including as amended or renewed.



KJ Taylor  
A/Deputy Director General, Environment  
Department of Environment and Conservation.  
Officer delegated under Section 20  
of the Environmental Protection Act 1986

19 July 2007